

Debtor Incredible Auto SALES LLC

Case Number

06-06855-RBK

Report Mo/Yr

NOV 06

UST-8 SUMMARY OF DEPOSITS & DISBURSEMENTS

INSTRUCTIONS: BEFORE COMPLETING THIS PAGE, prepare a UST-8 CONTINUATION SHEET (see next page) for each bank account or other source of the debtor's funds. The deposit and disbursement total from each CONTINUATION SHEET will be used to complete this SUMMARY.

The debtor is responsible for providing an accurate monthly disbursement total for the purpose of calculating its obligation pursuant to 28 U.S.C. § 1930 (a)(6) to pay statutory fees to the United States Trustee. The disbursement total encompasses all payments made by the bankruptcy estate during the reporting month, whether made directly by the debtor or by another party for the debtor. It includes checks written and cash payments for inventory and equipment purchases, payroll and related taxes and expenses, other operating costs, and debt reduction. It also includes payments made pursuant to joint check arrangements and those resulting from a sale or liquidation of the debtor's assets. The only transactions normally excluded from the disbursement total are transfers within the same reporting month between multiple debtor accounts.

A fee payment is due within 30 days after the end of each calendar quarter, or on April 30, July 31, October 31, and January 31, respectively. Since the amount billed is an estimate, the debtor is responsible for paying the correct statutory fee based on its actual disbursements for the calendar quarter, or portion thereof the debtor was in Chapter 11. Failure to pay statutory fees to the United States Trustee may be cause for conversion or dismissal of the case. A copy of the statutory fee schedule may be found on the United States Trustee's website located at: www.usdoj.gov/ust/r18/s_library.htm

If you have questions computing the disbursement total, contact the Bankruptcy Analyst assigned to your case at (406) 761-8777.

Summary of Deposits This Month

Deposits from UST-8 Continuation Sheet(s)

220,988.96

Cash receipts not included above (if any)

TOTAL RECEIPTS

220,988.96

Summary of Disbursements This Month

Disbursements from UST-8 Continuation Sheet(s)

88,549.40

Disbursements resulting from asset sales out of the ordinary course (see Page 14, Question 1)

0

Disbursements made by other parties for the debtor (if any, explain)

0

Note: Enter the amount for TOTAL DISBURSEMENTS here and on Page 2.

TOTAL DISBURSEMENTS

88,549.40

NET CASH FLOW (TOTAL RECEIPTS MINUS TOTAL DISBURSEMENTS)

132,439.56

At the end of this reporting month, did the debtor have any delinquent statutory fees owing to the United States Trustee? Yes ☐ No ☒ If "Yes", list each quarter that is delinquent and the amount due.

(UST-8 CONTINUATION SHEETS, with attachments, should follow this page.)

Debtor INCREDIBLE AUTO SALES

Case Number →

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NOV 6

UST-8 SUMMARY OF DISBURSEMENTS (contd.)

Payments on Prepetition Unsecured Debt (requires court approval)

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month on prepetition unsecured debt? Yes ☐ No ☒ If "Yes", list each payment.

Payee's name	Nature of payment	Payment date	Payment amount	Date of court approval

Payments to Attorneys and Other Professionals (requires court approval)

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month to a professional such as an attorney, accountant, realtor, appraiser, business consultant, or other professional person? Yes ☒ No ☐ If "Yes", list each payment.

Professional's name	Type of work performed	Payment date	Payment amount	Date of court approval
<u>William Needer</u>	<u>Attorney</u>	<u>NOV 06</u>	<u>5000</u>	<u>See Attached</u>

Payments to an Officer, Director, Partner, or Other Insider of The Debtor

Did the debtor, or another party on behalf of the debtor, make any payments during this reporting month to an officer, director, partner, or other insider of the debtor? Yes ☐ No ☒ If "Yes", list each payment.

Payee's name	Relationship to debtor	Payment date	Payment amount	Purpose of payment
<u>Auto Pro</u>	<u>Consulting Co. (Nick)</u>	<u>11/13/06</u>	<u>6842.02</u>	<u>Salary/Bonus</u>
<u>Paradise Management</u>	<u>Consulting (Ken)</u>	<u>NOV 06</u>	<u>11,182.00</u>	<u>Salary/Bonus</u>

INSTRUCTIONS: Use the last column to describe the purpose of each payment, such as gross wages or salary, reimbursement for business expenses, loan repayment, advance, draw, bonus, dividend, stock distribution, or other reason for the payment (explain).

Wednesday, December 13, 2006 11:21 AM

Linda Howard (941) 792-0073

p.01

William L. Needler
William L. Needler and Associates
555 Skokie Blvd Ste 500
Northbrook, IL 60062
(847) 559-8330 ph
(847) 559-8331 fax
Bar ID 02025248
E-Mail: WilliamLNeedler@aol.com

Attorneys for the Debtor
Incredible Auto Sales LLC

Clarke B. Rice
Clarke B. Rice P.C.
2951 King Avenue West
Billings, Montana 59102
(406) 254-2500 ofc phone
(406) 284-2525 fax
Montana ID # 1289
E-Mail: Clarkerice@imt.net

Co-Counsel for the Debtor
Incredible Auto Sales LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

IN RE:

INCREDIBLE AUTO SALES L.L.C.

Debtor

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Case No 06-60855-RBK

**A Chapter 11 Proceeding
For Reorganization
Judge Ralph B Kirscher**

FIRST AMENDED STATEMENT OF ATTORNEY FEES

PURSUANT TO 11 USC SECTION 329 AND BANKRUPTCY RULE 2016 (B)

William L. Needler of the law firm of William L. Needler and Associates, (hereinafter "the Applicant") states that, the compensation paid and/or agreed to be paid by the Debtor to William L. Needler and Associates, is as follows:

1. For legal services rendered and to be rendered, it was agreed pre petition by the parties that William L. Needler and Associates, would receive \$25,000 on account as a general retainer basis and \$1,039 for the filing fee.
2. Prior to the filing of this statement and pre petition, William L. Needler and Associates had received \$16,039 which was for its retainer and \$1,039 for filing fee advances.
3. These moneys paid were not from funds of this estate, but from third parties not creditors.
4. Subsequent to filing, this approved and employed Debtor's Attorney received an additional wire of \$5,000 from the main equity holders wife, Zfanece Gutierrez, which were represented to be from her independent funds and not those of this estate. This person was also represented to be not a pre petition creditor of this entity.
5. The present balance due as contracted for pre petition by this Attorney for is \$5,000

The undersigned further states that the legal services rendered, or to be rendered, to and on behalf of the Debtor, includes the following:

- a) Analysis of the financial situation and rendering of advice and assistance to the Debtor;

- b) Preparation of Schedules and Statement of Affairs as to its assets and liabilities;
- c) Representation of the Debtor at meetings of creditors;
- d) Representation of the Debtor in continued dealings with the Creditors of this estate;
- e) Continued representation in extended Cash Collateral hearings and matters relating to auction vehicles;
- f) Representation of the Debtor and this estate in the Bankruptcy Court and/or on appeals relative to certain defenses and responses to and against charges and motions by creditors and other interested parties;
- g) Representation of the Debtor and this estate in the Bankruptcy Court and/or on appeals relative to various motions for this Debtor as are necessary for the preservation and protection of this estate and its assets;
- h) Drafting and presentation of various Plans of Reorganizations and Disclosure Statements leading to Confirmation;
- i) Review and analysis of creditor claims;
- j) Representation in all other matters arising in, related to, and/or in connection with this Chapter 11 proceeding, whether before the Bankruptcy Court

and/or any Court of the United States having
jurisdiction.

The undersigned further states that, the billing rates of the attorneys and paralegals in his office, who will be working on the case, are as follows:

<u>ATTORNEYS</u>	<u>RATES</u>
William L. Needler	\$ 275.00 per hour
Associates	\$ 185.00 per hour
Paralegal	\$ 80.00 per hour

Travel time is billed at one-half the above rates. The client, prior to filing, was informed of these rates and agreed to pay, as above, plus reimbursement of out of pocket expenses for travel, postage, copies, Federal Express, United Parcel Service, Fax Service, and the like.

The undersigned further states that to the best of his knowledge, information, and belief, this case is not now related or connected to any other case or proceeding in which the undersigned or his law firm are involved .

The undersigned states that, he knows of no conflicts of interest, nor of any adverse interests that he may represent, nor conflicts, which would make the undersigned or his law firm to represent this Debtor in his estate, except as indicated on the Employment Affidavit filed herein.

The undersigned further states that, the law firm of William L. Needler and Associates has not shared or agreed to share with any other person, the aforesaid compensation.

DATED: December 13, 2006

Respectfully submitted,

William L. Needler and Associates

BY: /s/ William L. Needler
William L. Needler